

REMARKS

Applicants concurrently file herewith a Request for Continued Examination (RCE) and corresponding RCE fee.

Claims 1, 3-5, 7, 8, 10-12, 14, 15, and 17-25 are all of the claims presently pending in the application. Applicants have canceled claims 6 and 8 without prejudice or disclaimer. Applicants have amended claims 1, 8, and 15 to define the claimed invention more particularly.

Specifically, in the Decision on Appeal, the Board of Patent Appeals and Interferences explained, with respect to claim 6, that “the Examiner fails to provide *any* credible reason or evidence as to why and how it would have been obvious to employ and/or produce such an ‘error free’ preform. Indeed, nowhere does Ishikawa mention an error free preform or any eccentricity error of the core as required by claim 6.” (See Decision on Appeal dated February 15, 2011 at page 8; emphasis added by Board).

Accordingly, Applicants have amended the independent claims to incorporate the subject matter recited in dependent claim 6.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

In view of the foregoing, Applicants submit that claims 1, 3-5, 7, 8, 10-12, 14, 15, and 17-25, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: March 11, 2011

Respectfully Submitted,



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